

Remarks

Claims 1-23 are pending in this application. No claims have been amended, canceled or added. In view of the following comments, reconsideration and allowance of all the rejected claims pending in this application are respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being obvious over Wilcox et al. (U.S. Patent No. 6,404,856) in view of Becker et al. (Publication No. US 2002/0130904 A1). Applicant respectfully traverses this rejection on the following basis.

Independent claims 1, 7, 12, and 18 recite, among other things, the features of a message presentation form having a notes field that enables a subscriber to annotate audible messages during playback of the audible messages and a message forwarder that enables forwarding of audible messages wherein the annotations associated with the audible messages are forwarded at the option of the subscriber. In an exemplary embodiment, the private notes field may include an area which enables the subscriber to input or alter text annotations while audible message player is playing or recording an audible message (see the second full paragraph on page 7 of the specification). In another exemplary embodiment, the annotations in the private notes field may only be forwarded to subsequent message recipients at the option of the sender, where the sender may select an option to hide the annotations in the private notes field upon forwarding or replying to the message (see the fourth full paragraph on page 7 of the specification).

The Examiner acknowledges that Wilcox "does not specifically teach a message forwarder that enables forwarding of audible messages and annotations at the option of the subscriber" (see paragraph number 3 on page 1 of the February 23, 2004 Office Action). In fact, Wilcox does not teach or suggest forwarding of *any* messages. Rather, Wilcox discloses routing calls by sending calls to an answering machine,

accepting calls for conversation, or tentatively accepting a call based on the identify of the caller (see Wilcox col. 2, line 65 to col. 3, line 2). Thus, at best, Wilcox discloses routing incoming calls to the intended recipient. However, Wilcox does not teach or suggest forwarding calls from the intended recipient to third parties in order to share the received messages with third parties.

Rather, Wilcox is directed to a system for recording, indexing, and retrieving voice mail messages (see Wilcox, col. 2, lines 35-37). Wilcox enables a user to index personal voice messages by providing digital properties, time stamping and keywords (see Wilcox, col. 6, lines 64-66). However, Wilcox does not teach or suggest enabling the intended recipient to forward the received messages to third parties in order to share the messages, indexed or not indexed, with third parties. The Examiner relies on Becker for providing this deficiency.

In particular, the Examiner relies on Becker for allegedly disclosing "a message forwarder that enables forwarding of audible messages to other recipients and wherein annotation in the notes field are forwarded, (paragraphs 51 and 56) or wherein annotations in the notes field are not forwarded, (paragraphs 51 and 56)," (see the last full paragraph on page 2 of the February 23, 2004 Office Action).

Regarding paragraph 51, Becker discloses a broadcast messaging session that enables each broadcast recipient to respond back to the initiating user in an instant message (see Becker, paragraph 0051). This portion of Becker is therefore directed to sessions rather than to messages. Additionally, this portion of Becker discloses instant messaging sessions using text rather than audible messaging sessions. Furthermore, this portion of Becker fails to teach or suggest a notes field, including annotations associated with any type of session and/or any type of message. Becker further discloses that each broadcast recipient may respond back to the initiating user of the instant message (see Becker, paragraph 0051) and there is no teaching or suggestion in Becker for users to annotate the received instant message before responding to the initiating user.

Regarding paragraph 56, Becker discloses a "Forward" command 143 for forwarding messages and forwarding entire messaging sessions with or without

annotation to another pal or to the user's archives (see Becker, paragraph 56). Becker further discloses providing different type of session commands such as a "Forward" command that allows the user to annotate and forward an entire messaging session to another pal (see Becker, paragraph 0081). Becker discloses "that a menu pops up which provides the user the ability to select among various options such as to *forward a message*, to *annotate a session*, to *forward a session*, and to archive a session" (emphasis added, see Becker, paragraph 0081). Becker therefore distinguishes between a message and a session, wherein a multiple messaging occurs in a session. Becker only discloses enabling the user to annotate the session for forwarding the annotated session to a pal. Becker does not disclose annotating a message prior to forwarding the message.

Becker further discloses annotating the session at the time the session is prepared for forwarding, but does not disclose enabling the user to annotate the session and thereafter decide to forward the session without annotated without annotations. In other words, Becker discloses that once annotations are created for the session, they are forwarded with the session to a pal. While Becker clearly distinguishes between a message and a session, even if the Examiner were to consider Becker's disclosure of forwarding annotated sessions as motivation for forwarding annotated messages in Wilcox (which clearly are different), the resulting combination would remain deficient because Becker *requires* the forwarding of an annotated session once the annotation is created. As a result, Wilcox and Becker are deficient, both alone and in combination, because they fail to teach or suggest at least the feature a message forwarder that enables forwarding of audible messages, wherein the annotations associated with the audible messages are forwarded at the option of the subscriber.

In the "Response to Arguments" section, the Examiner alleges that Becker discloses annotating text messages (see paragraph number 4 on page 4 of the February 23, 2004 Office Action). This assertion is not supported by Becker's disclosure, which discloses annotating sessions and **not** messages. In view of the foregoing, it is of no consequence that Becker discloses receiving messages from

multiple messaging-enabled devices, wherein the received messages may include voice messages. Even if Becker discloses receiving voice *messages*, Becker does not teach or suggest a message forwarder that enables forwarding of audible messages, wherein the annotations associated with the audible messages are forwarded at the option of the subscriber.

In addition to the above-identified deficiencies of Wilcox and Becker, Applicants further submit that there is no teaching in either Wilcox or Becker to arrive at the claimed invention. Wilcox discloses indexing voice mail messages for personal use and does not disclose forwarding the indexed voice mail messages to third parties. Becker discloses a system having messages and sessions, wherein the messages are forwarded without an option for including annotations and wherein the *sessions* may be adapted to include annotations. However, once the annotations are included, the sessions *must be* forwarded with the annotations. Neither reference discloses annotating *messages* and, once the annotation is created, forwarding the messages with or without the annotations at the option of the user.

For at least the reasons set forth above, Applicants submit that none of the references cited by the Examiner, either alone or in combination, teach all of the features of independent claims 1, 7, 12, and 18. Accordingly, Applicants further submit that dependent claims 2-6, 8-11, 13-17, and 19-26 are allowable at least because of their dependency from allowable independent claims, as well as for the additional features they contain.

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

Customer Number
29315

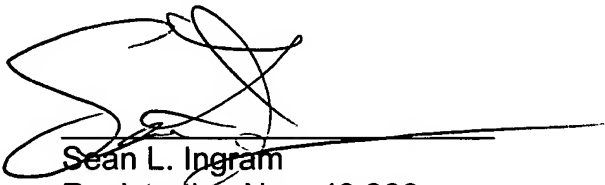
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If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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